Gazette of the United States.

PUBLISHED WEDNESDAYS AND SATURDAYS BY *JOHN FENNO*, No. 69, *HIGH-STREET*, BETWEEN *SECOND* AND *THIRD STREETS*, PHILADELPHIA.

[No. 86, of Vol. II.] WEDNESDAY, FEBRUARY 23, 1791. [Whole No. 190.]

FOR THE GAZETTE *OF THE* UNITED STATES.

ON THE NATIONAL BANK.

IT has been queſtioned by ſome, whether the act of Congreſs, for eſtabliſhing the Bank of the United States, is conſtitutional; but if it is a uſeful mean for carrying into effect any of the powers ſpecially veſted in the government of the United States, and does not infringe the rights of any individual ſtate or perſon, on what principal can it be unconſtitutional?

Congreſs are expreſsly authoriſed to make all laws that ſhall be neceſſary and proper for carrying into execution all the powers veſted in the government of the United States; and the means for effecting theſe purpoſes not being ſpecially pointed out, is it not left to the diſcretion of Congreſs to chuſe the moſt fit and proper means? And if incorporating a Bank is by them judged a neceſſary and proper meaſure to carry into effect the fiſcal operations of the Union, why is not that as conſiſtent with the conſtitution as any other mean? The incorporation is only enabling a number of perſons to aid the government, and improve their own property with greater eaſe and ſecurity than they could do in their individual capacity: Their bye-laws will be only rules to govern themſelves in the management of their own affairs.

This artificial perſon will be ſubject to the government of the laws as much as a natural perſon—it may be reſtrained from doing injury, tho its rights may not be violated: And will not the time limited for its duration be ſhort enough to make a fair trial of its utility?

Legiſlative power is not abſolutely requiſite to create a Corporation—it is a power often exerciſed by the Executive Magiſtrate, without any poſitive law, or other expreſs authority to authorize it.

The uſefulneſs of Banks has been long experienced in England, and other parts of Europe.

The Bank of England was eſtabliſhed by act of Parliament to aid the national finances, when other efforts to ſupport the public credit had proved ineffectual.

The eſtabliſhment of a Bank was thought neceſſary, and found uſeful in aid of the finances of the United States, in the time of the late war. And Banks have been reſorted to, and likewiſe found uſeful under the preſent government; and will doubtleſs be found more neceſſary, as the demands for money encreaſe, and the occaſions for the circulation thereof, become more extenſive.

The celebrated Mr. BURKE, ſpeaking of the Bank of England, ſays, "That in England, not "one ſhilling of paper money of any deſcription "is received but of choice; that the whole has "had its origin in caſh actually depoſited; and "that it is convertible at pleaſure, in an inſtant, "(without the leaſt loſs) into caſh again.

"Indeed it might be eaſily ſhewn, that our pa "per wealth, inſtead of leſſening the real coin, "has a real tendency to increaſe it; inſtead of "being a ſubſtitute for money, it only facilitates "its entry, its exit, and its circulation; that it "is a ſymbol of proſperity, and not a badge of "diſtreſs."

Such is the conſtitution, and (if properly managed) ſuch will be the operation of the Bank of the United States. It has been objected, that funded ſecurities being depoſited as part of the ſtock, will not ſecure the credit of the Bank Bills: But a large ſum in ſpecie will likewiſe be depoſited—which, together with the intereſt, payable on the ſecurities quarter-yearly, will make a fund ſufficient to ſupport as much bank paper as will be neceſſary for common circulation; and if there ſhould at any time be a demand on the Bank beyond the amount of the ſpecie depoſited, the money may be raiſed by ſale of the ſecurities, at the market price.

If the proprietors of the ſtock underſtand their own intereſt, they will not ſubject themſelves to inconvenience, or riſque, by iſſuing too much paper. The depoſits of ſpecie that will be made by the United States will alſo give great aid to the credit of the bank. Some have ſuppoſed that the ſtockholders will make too much profit by it; but that is uncertain—they take upon themſelves the management and riſque, and if it is profitable to them, it will likewiſe be ſo to the United States, who will be part owners of the ſtock.

It will not infringe the rights of the individual States, for they will be at liberty to make like inſtitutions within their reſpective juriſdictions.

In caſes wherein the United States and individual States have a right to legiſlate, reſpecting the ſame objects, (for inſtance, in drawing revenue from the ſame ſources, for their different purpoſes) their laws will not oppoſe each other. Both governments are inſtituted by the people for their benefit—and ſo long as each, exerciſe their truſt with wiſdom and fidelity, there will be no danger of an interference of their juriſdictions.

No rights of individual perſons will be infringed by this act; but all the citizens of the United States will ſhare in the public benefits derived from it; and many of them will derive further benefit from it in their commercial and other employments.

Does it not evidently appear, from the foregoing remarks, that a well regulated Bank will be a neceſſary and uſeful mean to aid the fiſcal operations of the United States: and that the act of Congreſs eſtabliſhing one is therefore conſtitutional?

The Bank bills, which are receivable only of choice, and for convenience, and may at any time be exchanged for real money, are of a very different nature from thoſe bills of credit mentioned in the conſtitution, the emiſſion whereof is prohibited to the ſeveral ſtates, and not delegated to the government of the United States. The miſchievous conſequnces of that kind of paper currency has been ſeverely felt by theſe ſtates; therefore it was thought inexpedient to authorize the introduction of it in future in any caſe whatever.

A CONSTITUTIONALIST.

FROM THE NEW-HAMPSHIRE SPY.

"*What reproacheth reaſon more than to act contrarieties.*"

THERE is, as I have heard ſome one expreſs it, "an eternal fitneſs of things" which I apprehend to be the perfection of beauty. The contrary may be ſeen in a miniſter whoſe behaviour is diametrically oppoſite to the doctrine he preaches. In a judge who cannot diſtinguiſh between right and wrong. In a juſtice of the peace who is forward to break thoſe laws which he was appointed to have duly obſerved. In ſhort, all men in reſpectable offices ſhew us the contrary, when they are immoral in their conduct—vicious in their practice—unfaithful when they promiſe—obſcene and profane in their converſation—and—when they are above doing the duties of their office—or when the duties of their office are above their comprehenſion,—Some will aſk—Are there any ſuch incongruities in this ſtate? *I think there are*—In this ſtate and every ſtate and kingdom in the world, and forever will be, till mankind are as willing to be govern'd as to govern.—The evil cannot be wholly remedied—yet I have not the leaſt doubt but thoſe in office may behave with ſo much prudence, as to do credit to the office which does them honor.

B.

FROM THE VERMONT GAZETTE.

IN proportion as proſpects open for public honors, in the ſame ratio anxiety riſes.

He that is a candidate for public honors, is a candidate for public mortification.

He who has riſen to the pinnacle, has nought to fear but a fall.

He who electioneers for his friend, becauſe he is his friend, is oathleſs.

Luſt of power, and intoxication of glory, lead to glorious and inglorious deeds.

CLERGYMAN.

ANECDOTE.

DURING Lord North's adminiſtration, a diſpute happened one evening at the SMYRNA whether the premier had any honor. A gentleman, who had been heartily piqued at a refuſal from Lord North, would not allow him any ſhare of it; whilſt another as warmly eſpouſed his having pretenſions to every virtue. The ſubject created much warmth on both ſides, and might perhaps have terminated very diſagreeably to one or other of the parties, had not one of the company played the mediator, and very archly ſaid,—"There was no doubt of his honor, who had purchaſed half the honor of the nation." A general laugh enſued, at which my Lord's advocate ſeemed nettled, and, turning upon his heel, ſaid,—"It was a purchaſe very eaſily made."

CONGRESS.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, Feb. 2.

The BANK BILL under conſideration.

MR. MADISON began with a general review of the advantages and diſadvantages of banks. The former he ſtated to conſiſt in, firſt, the aids they afford to merchants who can thereby puſh their mercantile operations farther with the ſame capital.—2d. The aids to merchants in paying punctually the cuſtoms.—3d. Aids to the government in complying punctually with its engagements, when deficiencies or delays happen in the revenue.—4th. In diminiſhing uſury.—5th. In ſaving the wear of the gold and ſilver kept in the vaults, and repreſented by notes.—6th. In facilitating occaſional remittances from different places where notes happen to circulate. The effect of the propoſed bank, in raiſing the value of ſtock, he thought, had been greatly overrated. It would no doubt raiſe that of the ſtock ſubſcribed into the bank; but could have little effect on ſtock in general, as the intereſt on it would remain the ſame, and the quantity taken out of the market would be replaced by bank ſtock.

The principal diſadvantages conſiſted in, 1ſt. baniſhing the precious metals, by ſubſtituting another medium to perform their office: This effect was inevitable. It was admitted by the moſt enlightened patrons of banks, particularly by Smith on the Wealth of Nations. The common anſwer to the objection was, that the money baniſhed was only an exchange for ſomething equally valuable that would be imported in return. He admitted the weight of this obſervation in general, but doubted whether, in the preſent habits of this country, the returns would not be in articles of no permanent uſe to it. 2d. Expoſing the public and individuals to all the evils of a run on the bank, which would be particularly calamitous in ſo great a country as this, and might happen from various cauſes, as falſe rumours, bad management of the inſtitution, an unfavorable balance of trade from ſhort crops, &c.

It was proper to be conſidered alſo, that the moſt important of the advantages would be better obtained by ſeveral banks properly diſtributed, than by a ſingle one. The aids to commerce could only be afforded at or very near the ſeat of the bank. The ſame was true of aids to merchants in the payment of cuſtoms. Anticipations of the government would alſo be moſt convenient at the different places where the intereſt of the debt was to be paid. The caſe in America was different from that in England: the intereſt there was all due at one place, and the genius of the monarchy favored the concentration of wealth and influence at the metropolis.

He thought the plan liable to other objections: It did not make ſo good a bargain for the public as was due to its intereſts. The charter to the bank of England had been granted for 11 years only, and was paid for by a loan to the government on terms better than could be elſewhere got. Every renewal of the charter had in like manner been purchaſed; in ſome inſtances, at a very high price. The ſame had been done by the banks of Genoa, Naples, and other like banks of circulation. The plan was unequal to the public creditors—it gave an undue preference to the holders of a particular denomination of the public debt, and to thoſe at and within reach of the ſeat of government. If the ſubſcriptions ſhould be rapid, the diſtant holders of paper would be excluded altogether.

In making theſe remarks on the merits of the bill, he had reſerved to himſelf, he ſaid, the right to deny the authority of Congreſs to paſs it. He had entertained this opinion from the date of the conſtitution. His impreſſion might perhaps be the ſtronger, becauſe he well recollected that a power to grant charters of incorporation had been propoſed in the general convention and rejected.

Is the power of eſtabliſhing an *incorporated bank* among the powers veſted by the conſtitution in the legiſlature of the United States? This is the queſtion to be examined.

After ſome general remarks on the limitations of all political power, he took notice of the peculiar manner in which the federal government is limited. It is not a general grant, out of which particular powers are excepted—it is a grant of particular powers only, leaving the general maſs in other hands. So it had been underſtood by its friends and its foes, and ſo it was to be interpreted.

As preliminaries to a right interpretation, he laid down the following rules:

An interpretation that deſtroys the very characteriſtic of the government cannot be juſt.

Where a meaning is clear, the conſequences, whatever they may be, are to be admitted—where doubtful, it is fairly triable by its conſequences.

In controverted caſes, the meaning of the parties to the inſtrument, if to be collected by reaſonable evidence, is a proper guide.

Cotemporary and concurrent expoſitions are a reaſonable evidence of the meaning of the parties.

In admitting or rejecting a conſtructive authority, not only the degree of its incidentality to an expreſs authority, is to be regarded, but the degree of its importance alſo; ſince on this will depend the probability or improbability of its being left to conſtruction.

Reviewing the conſtitution with an eye to theſe poſitions, it was not poſſible to diſcover in it the power to incorporate a Bank. The only clauſes under which ſuch a power could be pretended, are either—

1. The power to lay and collect taxes to pay the debts, and provide for the common defence and general welfare: Or,

2. The power to borrow money on the credit of the United States: Or,

3. The power to paſs all laws neceſſary and proper to carry into execution thoſe powers.

The bill did not come within the firſt power. It laid no tax to pay the debts, or provide for the general welfare. It laid no tax whatever. It was altogether foreign to the ſubject.

No argument could be drawn from the terms "common defence, and general welfare." The power as to theſe general purpoſes, was limited to acts laying taxes for them; and the general purpoſes themſelves were limited and explained by the particular enumeration ſubjoined. To underſtand theſe terms in any ſenſe, that would juſtify the power in queſtion, would give to Congreſs an unlimited power; would render nugatory the enumeration of particular powers; would ſupercede all the powers reſerved to the ſtate governments. Theſe terms are copied from the articles of confederation; had it ever been pretended, that they were to be underſtood otherwiſe than as here explained?

It had been ſaid that "general welfare" meant caſes in which a general power might be exerciſed by Congreſs, without interfering with the powers of the States; and that the eſtabliſhment of a National Bank was of this ſort. There were, he ſaid, ſeveral anſwers to this novel doctrine.

1. The propoſed Bank would interfere ſo as indirectly to defeat a State Bank at the ſame place.—2. It would directly interfere with the rights of the States, *to prohibit* as well as to eſtabliſh Banks, and the circulation of Bank Notes. He mentioned a law of Virginia, actually prohibiting the circulation of notes payable to bearer. 3. Interference with the power of the States was no conſtitutional criterion of the power of Congreſs. If the power was not given, Congreſs could not exerciſe it; if given, they might exerciſe it, altho it ſhould interfere with the laws, or even the conſtitution of the States.—4. If Congreſs could incorporate a Bank, merely becauſe the act would leave the States free to eſtabliſh Banks alſo; any other incorporations might be made by Congreſs. They could incorporate companies of manufacturers, or companies for cutting canals, or even religious ſocieties, leaving ſimilar incorporations by the States, like State Banks to themſelves: Congreſs might even eſtabliſh religious teachers in every pariſh, and pay them out of the Treaſury of the United States, leaving other teachers unmoleſted in their functions.—Theſe inadmiſſible conſequences condemned the controverted principle.

The caſe of the Bank eſtabliſhed by the former Congreſs, had been cited as a precedent.—This was known, he ſaid, to have been the child of neceſſity. It never could be juſtified by the regular powers of the articles of confederation. Congreſs betrayed a conſciouſneſs of this in recommending to the States to incorporate the Bank alſo. They did not attempt to protect the Bank Notes by penalties againſt counterfeiters. Theſe were reſerved wholly to the authority of the States.

The ſecond clauſe to be examined is that, which empowers Congreſs to borrow money.

Is this a bill to borrow money? It does not borrow a ſhilling. Is there any fair conſtruction by which the bill can be deemed an exerciſe of the power to borrow money?—The obvious meaning of the power to borrow money, is that of accepting it from, and ſtipulating payment to thoſe who are *able* and *willing* to lend.

To ſay that the power to borrow involves a power of creating the ability, where there may be the will, to lend, is not only eſtabliſhing a dangerous principle, as will be immediately ſhewn, but is as forced a conſtruction, as to ſay that it involves the power of compelling the will, where there may be the ability, to lend.

The *third* clauſe is that which gives the power to paſs all laws neceſſary and proper to execute the ſpecified powers.

Whatever meaning this clauſe may have, none can be admitted, that would give an unlimited diſcretion to Congreſs.

Its meaning muſt, according to the natural and obvious force of the terms and the context, be limited to means *neceſſary* to the *end*, and *incident* to the *nature* of the ſpecified powers.

The clauſe is in fact merely declaratory of what would have reſulted by unavoidable implication, as the appropriate, and as it were, technical means of executing thoſe powers. In this ſenſe it had been explained by the friends of the conſtitution, and ratified by the ſtate conventions.

The eſſential characteriſtic of the government, as compoſed of limited and enumerated powers, would be deſtroyed: If inſtead of direct and incidental means, any means could be uſed, which in the language of the preamble to the bill, 'might be conceived to be conducive to the ſucceſsful conducting of the finances; or might be *conceived* to *tend* to give *facility* to the obtaining of loans.' He urged an attention to the diffuſe and ductile terms which had been found requiſite to cover the ſtretch of power contained in the bill. He compared them with the terms *neceſſary* and *proper*, uſed in the Conſtitution, and aſked whether it was poſſible to view the two deſcriptions as ſynonimous, or the one as a fair and ſafe commentary on the other.

If, proceeded he, Congreſs, by virtue of the power to borrow, can create the means of lending, and in purſuance of theſe means, can incorporate a Bank, they may do any thing whatever creative of like means.

The East-India company has been a lender to the Britiſh government, as well as the Bank, and the South-Sea company is a greater creditor than either. Congreſs then may incorporate ſimilar companies in the United States, and that too not under the idea of regulating trade, but under that of borrowing money.

Private capitals are the chief reſources for loans to the Britiſh government. Whatever then may be conceived to favor the accumulation of capitals may be done by Congreſs. They may incorporate manufacturers. They may give monopolies in every branch of domeſtic induſtry.

If, again, Congreſs by virtue of the power to borrow money, can create the ability to lend, they may by virtue of the power to levy money, create the ability to pay it. The ability to pay taxes depends on the general wealth of the ſociety, and this, on the general proſperity of agriculture, manufactures and commerce. Congreſs then may give bounties and make regulations on all of theſe objects.

The States have, it is allowed on all hands, a concurrent right to lay and collect taxes. This power is ſecured to them not by its being expreſsly reſerved, but by its not being ceded by the conſtitution. The reaſons for the bill cannot be admitted, becauſe they would invalidate that right; why may it not be *conceived* by Congreſs, that an uniform and excluſive impoſition of taxes, would not leſs than the propoſed Banks 'be *conducive* to the ſucceſsful conducting of the national finances, and *tend* to *give facility* to the obtaining of revenue, for the uſe of the government?'

The doctrine of implication is always a tender one. The danger of it has been felt in other governments. The delicacy was felt in the adoption of our own; the danger may alſo be felt, if we do not keep cloſe to our chartered authorities.

Mark the reaſoning on which the validity of the bill depends. To borrow money is made the *end* and the accumulation of capitals, *implied* as the *means*. The accumulation of capitals is then the *end*, and a bank *implied* as the *means*. The bank is then the *end*, and a charter of incorporation, a monopoly, capital puniſhments, &c. *implied* as the *means*.

If implications, thus remote and thus multiplied, can be linked together, a chain may be formed that will reach every object of legiſlation, every object within the whole compaſs of political economy.

The latitude of interpretation required by the bill is condemned by the rule furniſhed by the conſtitution itſelf.

Congreſs have power "to regulate the value of money;" yet it is expreſsly added not left to be implied, that counterfeitors may be puniſhed.

They have the power "to declare war," to which armies are more incident, than incorporated Banks, to borrowing; yet is expreſsly added, the power "to raiſe and ſupport armies;" and to this again, the expreſs power "to make rules and regulations for the government of armies;" a like remark is applicable to the powers as to a navy.

The regulation and calling out of the militia are more appurtenant to war, than the propoſed bank, to borrowing; yet the former is not left to conſtruction.

The very power to borrow money is a leſs remote implication from the power of war, than an incorporated monopoly bank, from the power of borrowing—yet the power to borrow is not left to implication.

It is not pretended that every inſertion or omiſſion in the conſtitution is the effect of ſyſtematic attention. This is not the character of any human work, particularly the work of a body of men. The examples cited, with others that might be added, ſufficiently inculcate nevertheleſs a rule of interpretation, very different from that on which the bill reſts. They condemn the exerciſe of any power, particularly a great and important power, which is not evidently and neceſſarily involved in an expreſs power.

It cannot be denied that the power propoſed to be exerciſed is an important power.

As a charter of incorporation the bill creates an artificial perſon previouſly not exiſting in law. It confers important civil rights and attributes, which could not otherwiſe be claimed. It is, though not preciſely ſimilar, at leaſt equivalent, to the naturalization of an alien, by which certain new civil characters are acquired by him. Would Congreſs have had the power to naturalize, if it had not been expreſsly given?

In the power to make bye laws, the bill delegated a ſort of legiſlative power, which is unqueſtionably an act of a high and important nature. He took notice of the only reſtraint on the bye laws, that they were not to be contrary to the law and the conſtitution of the bank; and aſked what law was intended; if the law of the United States, the ſcantineſs of their code would give a power, never before given to a corporation—and obnoxious to the States, whoſe laws would then be ſuperceded not only by the laws of Congreſs, but by the bye laws of a corporation within their own juridiction. If the law intended, was the law of the State, then the State might make laws that would deſtroy an inſtitution of the United States.

The bill gives a power to purchaſe and hold lands; Congreſs themſelves could not purchaſe lands within a State "without the conſent of its legiſlature." How could they delegate a power to others which they did not poſſeſs themſelves?

It takes from our ſucceſſors, who have equal rights with ourſelves, and with the aid of experience will be more capable of deciding on the ſubject, an opportunity of exerciſing that right, for an immoderate term.

It takes from our conſtituents the opportunity of deliberating on the untried meaſure, although their hands are alſo to be tied by it for the ſame term.

It involves a monopoly, which affects the equal rights of every citizen.

It leads to a penal regulation, perhaps capital puniſhments, one of the moſt ſolemn acts of ſovereign authority.

From this view of the power of incorporation exerciſed in the bill, it could never be deemed an acceſſary or ſubaltern power, to be deduced by implication, as a means of executing another power; it was in its nature a diſtinct, an independent and ſubſtantive prerogative, which not being enumerated in the conſtitution could never have been meant to be included in it, and not being included could never be rightfully exerciſed.

He here adverted to a diſtinction, which he ſaid had not been ſufficiently kept in view, between a power neceſſary and proper for the government or union, and a power neceſſary and proper for executing the enumerated powers. In the latter caſe, the powers included in each of the enumerated powers were not expreſſed, but to be drawn from the nature of each. In the former, the powers compoſing the government were expreſsly enumerated. This conſtituted the peculiar nature of the government, no power therefore not enumerated, could be inferred from the general nature of government. Had the power of making treaties, for example, been omitted, however neceſſary it might have been, the defect could only have been lamented, or ſupplied by an amendment of the conſtitution.

But the propoſed bank could not even be called neceſſary to the government; at moſt it could be but convenient. Its uſes to the government could be ſupplied by keeping the taxes a little in advance—by loans from individuals—by the other banks, over which the government would have eqnal command; nay greater, as it may grant or refuſe to theſe the privilege, made a free and irrevocable gift to the propoſed bank, of uſing their notes in the federal revenue.

He proceeded next to the cotemporary expoſitions given to the conſtitution.

The defence againſt the charge founded on the want of a bill of rights, preſuppoſed, he ſaid, that the powers not given were retained; and

that thoſe given were not to be extended by remote implications. On any other ſuppoſition, the power of Congreſs to abridge the freedom of the preſs, or the rights of conſcience, &c. could not have been diſproved.

The explanations in the ſtate conventions all turned on the ſame fundamental principle, and on the principle that the terms neceſſary and proper gave no additional powers to thoſe enumerated. [Here he read ſundry paſſages from the debates of the Pennſylvania, Virginia and North-Carolina conventions, ſhewing the grounds on which the conſtitution had been vindicated by its principal advocates, againſt a dangerous latitude of its powers, charged on it by its opponents.] He did not undertake to vouch for the accuracy or authenticity of the publications which he quoted—he thought it probable that the ſentiments delivered might in many inſtances have been miſtaken, or imperfectly noted; but the complexion of the whole, with what he himſelf and many others muſt recollect, fully juſtified the uſe he had made of them.

The explanatory declarations and amendments accompanying the ratifications of the ſeveral ſtates formed a ſtriking evidence, wearing the ſame complexion. He referred thoſe who might doubt on the ſubject, to the ſeveral acts of ratification.

The explanatory amendments propoſed by Congreſs themſelves, at leaſt, would be good authority with them; all theſe renunciations of power proceeded on a rule of conſtruction, excluding the latitude now contended for. Theſe explanations were the more to be reſpected, as they had not only been propoſed by Congreſs, but ratified by nearly three-fourths of the ſtates. He read ſeveral of the articles propoſed, remarking particularly on the 11th. and 12th. the former, as guarding againſt a latitude of interpretation—the latter, as excluding every ſource of power not within the conſtitution itſelf.

With all this evidence of the ſenſe in which the conſtitution was underſtood and adopted, will it not be ſaid, if the bill ſhould paſs, that its adoption was brought about by one ſet of arguments, and that it is now adminiſtered under the influence of another ſet; and this reproach will have the keener ſting, becauſe it is applicable to ſo many individuals concerned in both the adoption and adminiſtration.

In fine, if the power were in the conſtitution, the immediate exerciſe of it cannot be eſſential—if not there, the exerciſe of it involves the guilt of uſurpation, and eſtabliſhes a precedent of interpretation, levelling all the barriers which limit the powers of the general government, and protect thoſe of the ſtate governments. If the point be doubtful only, reſpect for ourſelves, who ought to ſhun the appearance of precipitancy and ambition; reſpect for our ſucceſſors, who ought not lightly to be deprived of the opportunity of exerciſing the rights of legiſlation; reſpect for our conſtituents who have had no opportunity of making known their ſentiments, and who are themſelves to be bound down to the meaſure for ſo long a period; all theſe conſiderations require that the irrevocable deciſion ſhould at leaſt be ſuſpended until another ſeſſion.

It appeared on the whole, he concluded, that the power exerciſed by the bill was condemned by the ſilence of the conſtitution; was condemned by the rule of interpretation ariſing out of the conſtitution; was condemned by its tendency to deſtroy the main characteriſtic of the conſtitution; was condemned by the expoſitions of the friends of the conſtitution, whilſt depending before the public; was condemned by the apparent intention of the parties which ratified the conſtitution; was condemned by the explanatory amendments propoſed by Congreſs themſelves to the Conſtitution; and he hoped it would receive its final condemnation, by the vote of this houſe.

SATURDAY, Feb. 19.

Mr. Muhlenberg preſented the petition of Valentine Wiley; read, and referred to the Secretary at War.

Agreeable to the order of the day, the houſe again reſumed the conſideration of the amendments propoſed by the Senate to the new revenue bill—an amendment was propoſed to the 61ſt ſection, limiting the compenſation to the officers to two years, which paſſed in the affirmative, ayes 34, noes 20: The reſidue of the amendments were agreed to with amendments.

Mr. Smith (S. C.) gave notice, that on Monday next he ſhould move that a committee be appointed to prepare, and bring in a bill for the temporary regulation of the Poſt-Office.

The report of the Secretary of the Treaſury, upon the exports from the United States, was referred to a ſelect committee, conſiſting of Meſſrs. Carroll, Bourne, and Mr. Sedgwick.

On motion of Mr. Sedgwick, the houſe reſolved itſelf into a committee of the whole—Mr. Boudinot in the chair, and took into conſideration the bill giving effect to the laws of the United States, within the ſtate of Vermont—the committee reported the bill, with one amendment, which was agreed to by the houſe. The bill was then ordered to be engroſſed, and read a third time on Monday next.

The houſe again went into a committee of the whole—and took into conſideration the bill regulating the number of repreſentatives to be choſen by the ſtates of Vermont and Kentucky: the committee reported the bill without amendment, which was read a third time and paſſed.

In committee of the whole, on the bill to provide compenſation to clerks, marſhalls and jurors in the courts of the United States—after ſome time ſpent, the committee roſe, reported progreſs and aſked leave to ſit again.

MONDAY, Feb. 21.

Reports from the Secretary of War on ſundry petitions read.

An engroſſed bill to give effect to the laws of the United States, within the ſtate of Vermont, was read the third time, the blanks filled up, and the bill paſſed.

Mr. Goodhue delivered in the following.

The Committee to whom was referred the Meſſage of the Preſident of the United States, of the 14th inſt. report as follows:

THAT after the day of no goods, wares or merchandize, of foreign growth or manufacture, ſhall be imported into the United States, except in veſſels of the United States, or in ſuch as actually belong to the country or place, of which ſuch goods, wares or merchandize, are or may be, the growth, product or manufacture, or in the ſhips or veſſels of ſuch country or place, to which the ſhips or veſſels of the United States ſhall be permitted to carry goods, wares and merchandize, which are not of the growth, product or manufacture of the United States.

And if any goods, wares, or merchandize of foreign growth or manufacture, more than ſhall be neceſſary for ſea ſtores, ſhall after the ſaid day of be imported into the United States, in any other manner than as is herein before provided; all ſuch goods wares, and merchandize, and the ſhips and veſſels in which the ſame ſhall be imported, together with their tackle and apparel, ſhall be ſeized and forfeited, to the uſe of the United States, and ſhall be recovered and ſold, and the proceeds accounted for, and applied in the manner provided for forfeitures, by the act, intituled, "An act

That there ſhall be levied, collected, and paid, upon all rum which, after the day of ſhall be imported into the United States (over and above the duties now payable on diſtilled ſpirits) a duty of one cent pr. gallon. And upon all diſtilled ſpirits, the produce or manufacture of any country or place, at which the ſhips or veſſels of the United States are not permitted to load ſuch diſtilled ſpirits, and which ſhall be imported into the United States after the day of a farther additional duty of twelve and an half cents pr. gallon, on ſuch as ſhall be not more than ten pr. cent below proof, according to Dicas's hydrometer, and in like proportion for all other diſtilled ſpirits, whether imported directly from thence, or from any other country or place, in any ſhip or veſſel, other than thoſe of the United States; which duties ſhall be levied, collected, and paid, in like manner, ſubject to the like regulations and drawbacks, as is provided by the act, intituled, "An act

And in order to aſcertain the country or place at which ſpirits imported after the day of ſhall have been diſtilled, it ſhall be the duty of the importer or importers thereof in other than ſhips or veſſels of the United States, to make proof to the ſatisfaction of the officers of the cuſtoms, with whom entry of any diſtilled ſpirits ſhall be made, that the ſame were diſtilled in ſome country or place at which the ſhips or veſſels of the United States are permitted to load like ſpirits; in default of which proof, all ſuch ſpirits ſhall be liable to the payment of the aforeſaid duty of twelve and an half cents per gallon.

In committee of the whole on the bill making compenſation to Clerks, Marſhals and Jurors.

The committee diſcuſſed the ſeveral ſections of the bill; which were ſo amended as to leave the compenſations to ariſe altogether from fees: They then roſe and reported the bill to the Houſe, which further amended the ſame. The bill was then referred to a ſelect committee of five, to report a table of fees.

Mr. Madiſon reported a bill to explain a clauſe in the Act making proviſion for the public debt—reſpecting the duty on lead and printed calicoes; which was read the firſt and ſecond time, and ordered to be engroſſed for a third reading.

In committee of the whole on the bill, to compenſate Captain Joſhua Barney. A motion for filling up the blank with 896 dollars, occaſioned a conſiderable debate, and was finally negatived.

The committee then roſe and reported the bill to the houſe with a blank. A motion for engroſſing the bill was alſo negatived.

A meſſage was received from the Senate informing the Houſe that they have paſſed a bill which originated in the houſe, with ſundry amendments.

Some private buſineſs occuring, occaſioned an order for clearing the galleries.

TUESDAY, Feb. 22.

Mr. Sedgwick of the committee appointed for the purpoſe, reported a bill to make further proviſion in the law for the collection of the duties on Teas, which was read the firſt and ſecond time, and referred to the committee of the whole houſe.

Sundry reports from the Secretary of War, on petitions referred to him, were read.

A bill ſupplemental to the act for eſtabliſhing the Treaſury Department, was read the firſt and ſecond time, and made the order of the day for to-morrow. This bill provides for extending the clauſe in the bill which enjoins an oath or affirmation from the principal officers of this Department, to the Clerks.

A meſſage was received from the Senate, informing the houſe, that they recede from ſome, and adhere to others of their amendments to the bill laying duties on diſtilled ſpirits, &c.

The committee appointed to conſider, and report what further proviſion is neceſſary to ſecure the duly accounting for monies appropriated for the War Department, reported a reſolution for the appointment of a pay-maſter, which was read and laid on the table.

In committee of the whole, on the bill, ſupplementary to the act to incorporate the ſubſcribers to the bank of the United States.

Mr. Smith [S. C.] moved that the firſt ſection of the bill ſhould be expunged—and propoſed the following in ſubſtance, as a ſubſtitute, viz: that ſubſcriptions for the bank ſhould not be opened till the firſt Monday in July next, and that the firſt payment in the ſix per cents of the United States may be deferred till the firſt Monday in January next; this was agreed to.

A clauſe to prohibit any perſon or body politic, except on behalf of the United States, from ſubſcribing within three months from the ſaid firſt of July, more than ſhares in one day—was agreed to.

A clauſe propoſed by Mr. Fitzſimons enjoining the payment of the ſpecie proportion of the ſubſcription at the time of ſubſcribing, and ſubjecting the ſubſcribers to a forfeiture of the ſaid firſt payment, in caſe the ſubſequent payments are not made—was alſo agreed to.

Mr. Madiſon propoſed a clauſe, in ſubſtance, making it optional with the ſubſcribers to pay their ſubſcriptions either in the three or ſix per cents, both of the continental and aſſumed debt—the three per cents, at two for one of the ſix per cents; agreed to.

The committee reported theſe amendments to the houſe, which were adopted, and the bill ordered to be engroſſed for a third reading to-morrow.

The enrolled bill to regulate the number of Repreſentatives for the States of Kentucky and Vermont was reported, and ſigned by the Speaker.

The amendments to the bill laying a duty on diſtilled ſpirits, &c. which had been diſagreed to by the Senate, were taken into conſideration. The firſt amendment to which the Senate had diſagreed, reſpected the limitation of the compenſation of the officers to two years; they propoſed a ſubſtitute, by which, the proviſion was to continue till altered by law: After ſome debate, the queſtion for agreeing to the amendment of the Senate, was negatived—Ayes 24; Nays 36. The houſe then voted to inſiſt on their amendment.——The houſe concurred in the other amendments.

A meſſage was received from the Senate informing the houſe that they have negatived the bill determining the time of the next meeting of Congreſs; alſo communicating a vote of the Senate in which they requeſt the concurrence of the houſe, for tranſmitting to the Preſident of the National Aſſembly of France, a reſolution expreſſive of the ſenſibility of the legiſlature of the United States at the very reſpectful attention paid by that free and enlightened aſſembly to the memory of Benjamin Franklin.

The report of the committee on the meſſage of the Preſident of the United States of the 14th inſt. was read the ſecond time.

A motion to refer this report to a committee of the whole, was ſuperceded by the call for an adjournment---which took place.

FOR THE GAZETTE OF THE UNITED STATES.

THE VOLUNTEER LAUREAT,

AN ODE;

For the BIRTH-DAY of the PRESIDENT of the UNITED STATES.

OFT has the Poet's venal ſong,
Correctly mean, and elegantly low,
Told the falſe plaudits of the courtly throng,
And wak'd a ſmile on guilty Grandeur's brow.
But here hath Virtue's guardian hand
Torn from the Syren, Adulation's power
The Man, whoſe praiſe—*the voice of every land*—
Hangs on the lips of every parting hour.

Here, can no Poet's venal ſong
Echo the praiſes of a courtly throng;
Nor the poor wealth of many a powerful State,
Buy a new honor for the truly great:
For here, the Muſe's nobleſt lays
But ſpeak a Nation's anſwering praiſe;
And here, can heaven-deſcended verſe
Nought but the glories of his name rehearſe.

Daughter of Heaven! awake the enobling lyre!
Breathe thy full influence; every cord inſpire;
Exalt the ſoul to dignity of ſong;
Swell every note, and every ſtrain prolong.

The anſwering Spirit trembles o'er the ſtrings;
Things, more than earthly, dance before my ſight;
Hark! with her voice the empyrean rings;
The Paſt, lies all reveal'd; the Future lives in light.

"The voice of Horror echoes far;
"Reſponds, the direful whoop of war;
"Thunders, the mighty tube of death;
"The knife red gleams upon the heath;
"Groans load the air, ſhrieks rend the ſkies;
"The crimſon ſtandard wildly flies;
"Impatient ſlaughter loudly calls;
"The Chief of Tho'tleſs Valor falls.
"'Gainſt all the terrors of the field,
"The Chief of Virtue rears his ſhield;
"Secure, the train diminiſh'd move;
"And weeping Britain ſmiles in love.

"See, demon Danger's horrid form,
"With dire Oppreſſion ſtrong allied,
"Hangs o'er the land—and wak's the ſtorm;
"And ſwells, of deep calamity, the tide.
"See, in their train Deſtruction ſtalk;
"And Giant Vengeance threatening walk;
"And red-clad Envy ride the empoiſon'd gale;
"And jealous Grandeur ſpread the impatient ſail.

"Greatly inſpir'd, his country lifts her voice—
"See Danger trembles at his awful name;
"Tyrant Oppreſſion views her fainting flame;
"And gaſping Freedom breathes but to rejoice.

"Dark o'er the field of Liberty and Right,
"Of ſad Diſmay, hangs low the deepen'd gloom:
"Wide ſpreads the flaſh of *Trenton's* bloody light;
"And Freedom, glorying, riſes from the tomb.

"Strong in himſelf—he ſcatters wide the ſtorm;
"Calms the wild raging of the troubled tide;
"O'erthrows Deſtruction; Vengeance joins his ſide;
"And Envy kneels in Adoration's form.

"Lin'd with red Hoſts the ramparts ſhine;
"Oppos'd, the brother armies join;
"The brazen Thunders ope their throats;
"On all the air the Tempeſt floats:
"Their Captives guarded, ſee the bands retire,
"And jealous Grandeur at the view expire.

"His Country ſav'd, o'er Cincinnatus great,
"He tills the ſoil, and guides the arts of Peace.
"But ſee! new Glory burſts the womb of Fate!
"New toils demand him from the promis'd eaſe!

"The voice of millions lift him o'er the realm
"Which once his valor from oppreſſion freed;
"Powerful in virtue, now he rules the helm—
"In War—in Peace—the bleſt of Heaven ſucceed.

"O born to grace and dignify mankind!
"Years long await thee—Time himſelf ſhall ſtay
"Till thou haſt op'd, reſplendent on the mind,
"Th' immortal brightneſs of the *moral day*.

"Tis thine to ſpread new virtue o'er the Earth;
"To breathe the ſoul of liberty in man;
"To brace Creation to a glorious birth;
"And charm Perfection to complete the Plan."

Favor'd of Heaven! the Muſe in rapture faints,
Thy grateful country ſtrives, in vain, to ſing;
The Earth uplifts her hands in joy—the Saints
Reſpond in Peans to each ſpeaking ſtring.
"Long may'ſt thou live"—the Soul of Nature cries—
"Greateſt of Mortals—Favorite of the Skies." ELLA.

PHILADELPHIA, Feb. 23, 1791.

Yeſterday being the Anniverſary of the Birth-Day of THE PRESIDENT OF THE UNITED STATES, when he attained to the 59th year of his age—the ſame was celebrated here with every demonſtration of public joy. The Artillery and Light-Infantry corps of the city were paraded, and at 12 o'clock a federal ſalute was fired. The congratulatory Compliments of the Members of the Legiſlature of the Union—the Heads of the Departments of State—Foreign Miniſters—Officers, civil and military of the State—the Reverend Clergy—and of Strangers and Citizens of diſtinction, were preſented to the Preſident on this auſpicious occaſion.

The Preſident of the United States, by and with the advice and conſent of the Senate, has been pleaſed to nominate and appoint DAVID HUMPHREYS, Eſq. Miniſter-Reſident, from the United States, to her Moſt Faithful Majeſty the Queen of Portugal.

Names of the Counſellors and Attornies in the Supreme Court of the United States, admitted and ſworn at Philadelphia, Feb. 1791.

COUNSELLORS.

William Lewis, William Bradford, jun. Alexander Wilcocks, Miers Fiſher, Jonathan D. Sergeant, Jared Ingerſoll, Edward Tilghman, James Monroe, Edward Burd, William Barton, Moſes Levy, John F. Mifflin, Charles Heatley, William Rawle, Jaſper Moylan, A. I. Dallas, Thomas Leaming, jun. Peter S. Du Ponceau, John Todd, jun. Joſeph B. M'Kean, Joſeph Henderſon, and Benjamin Chew, jun. Eſquires, of *Pennſylvania*.

Luther Martin, Eſq. of *Maryland*.
Hon. Alexander White, of *Virginia*.
Hon. Samuel Johnſton, of *North-Carolina*.

ATTORNIES.

John Caldwell, and Beni. R. Morgan, Eſq'rs, of *Pennſylaania*.

PRICE CURRENT.——PUBLIC SECURITIES.

FUNDED DEBT.				
6 pr. Cents	17/2	pr. £	86	pr. cent.
3 pr. Cents	9/.	9/1	45	do.
Defered 6 pr. Cents		9/2.	46	do.
UNFUNDED DEBT.				
Final Settl. and other Certificates	15/9	16/.*	80	do.
Indents	9/	9/1	45	do.
N. and S. Carolina debts,	12/6		62½	do.

* *Erroneouſly ſtated at 12/6 in our laſt.*

Report of the Secretary of the Treasury, on the subject of a MINT.

(CONTINUED.)

BUT the remainder of the argument ſtands upon ground far more queſtionable. It depends upon very numerous and very complex combinations; in which there is infinite latitude for fallacy and error.

The moſt plauſible part of it is that which relates to the courſe of exchange. Experience, in France, has ſhewn, that the market price of bullion has been influenced by the mint difference, between that and coin; ſome times to the full extent of the difference; and it will ſeem to be a clear inference, that whenever that difference materially exceeded the charges of remitting bullion, from the country where it exiſted, to another in which coinage was free, exchange would be in favor of the former.

If, for inſtance, the balance of trade, between France and England, were at any time equal, their merchants would naturally have reciprocal payments to make to an equal amount; which as uſual would be liquidated by means of bills of exchange. If in this ſituation, if the difference between coin and bullion ſhould be in the market, as at the mint of France, 8 per cent; if alſo the charges of tranſporting money, from France to England ſhould not be above 2 per cent.; and if exchange ſhould be at par, it is evident, that a profit of 6 per cent. might be made, by ſending bullion from France to England and drawing bills for the amount. One hundred louis d'ors in coin would purchaſe the weight of 108 in bullion; one hundred of which remitted to England would ſuffice to pay a debt of an equal amount: and two being paid for the charges of inſurance and tranſportation, there would remain ſix for the benefit of the perſon who ſhould manage the negociation. But as ſo large a profit could not fail to produce competition, the bills in conſequence of this would decreaſe in price, till the profit was reduced to the *minimum* of an adequate recompence for the trouble and riſk. And as the amount of 100 louis d'ors, in England, might be afforded for 96 in France, with a profit of morethan 1 and 1-2 per cent. bills upon England might fall in France to 4 per cent. below par; one per cent. being a ſufficient profit to the exchanger or broker for the management of the buſineſs.

But it is *admitted* that this advantage is loſt, when the balance of trade is againſt the nation; which impoſes the duty in queſtion; becauſe by encreaſing the demand for bullion, it brings this to a par with the coins: and it is to be *ſuſpected*, that where commercial principles have their free ſcope, and are well underſtood, the market difference between the metals in coin and bullion will ſeldom approximate to that of the mint, if the latter be conſiderable. It muſt be not a little difficult to keep the money of the world, which can be employed to an equal purpoſe, in the commerce of the world, in a ſtate of degradation, in compariſon with the money of a particular country.

This alone would ſeem ſufficient to prevent it: whenever the price of coin to bullion, in the market, materially exceeded the par of the metals, it would become an object to ſend the bullion abroad; if not to pay a foreign balance, to be inveſted in ſome other way, in foreign countries, where it bore a ſuperior value: an operation, by which immenſe fortunes might be amaſſed, if it were not, that the exportation of the bullion would of itſelf reſtore the intrinſic par. But as it would naturally have this effect, the advantage ſuppoſed would contain in itſelf the principle of its own deſtruction. As long however as the exportation of bullion could be made with profit, which is as long as exchange could remain below par, there would be a drain of the gold and ſilver of the country.

If any thing can maintain for a length of time a material difference, between the value of the metals in coin and in bullion, it muſt be a conſtant and conſiderable balance of trade, in favor of the country in which it is maintained. In one ſituated like the United States, it would in all probability be a hopeleſs attempt. The frequent demand for gold and ſilver, to pay balances to foreigners, would tend powerfully to preſerve the equilibrium of intrinſic value.

The proſpect is, that it would occaſion foreign coins, to circulate by common conſent, nearly at par with the national.

To ſay, that as far as the effect of lowering exchange is produced, though it be only occaſional and momentary, there is a benefit the more thrown into the ſcale of public proſperity, is not ſatisfactory. It has been ſeen, that it may be productive of one evil, the inveſtment of a part of the national capital in foreign countries; which can hardly be beneficial, but in a ſituation like that of the United Netherlands; where an immenſe capital and a decreaſe of internal demand render it neceſſary to find employment for money, in the wants of other nations: and, perhaps, on a cloſe examination, other evils may be deſcried.

One allied to that, which has been mentioned, is this—Taking France, for the ſake of more conciſe illuſtration, as the ſcene. Whenever it happens that French louis d'ors are ſent abroad, from whatever cauſe, if there be a conſiderable difference between coin, and bullion, in the market of France, it will conſtitute an advantageous traffic to ſend back theſe louis d'ors and bring away bullion, in lieu of them; upon all of which exchanges, France muſt ſuſtain an actual loſs of a part of its gold and ſilver.

Again, ſuch a difference between coin and bullion may tend to counteract a favorable balance of trade. Whenever a foreign merchant is the carrier of his own commodities to France, for ſale, he has a ſtrong inducement to bring back ſpecie, inſtead of French commodities; becauſe a return in the latter may afford no profit, may even be attended with loſs; in the former, it will afford a certain profit. The ſame principle muſt be ſuppoſed to operate in the general courſe of remittances, from France to other countries. The principal queſtion with a merchant naturally is —In what manner can I realize a given ſum, with moſt advantage, where I wiſh to place it? And, in caſes, in which other commodities are not likely to produce equal profit with bullion, it may be expected that this will be preferred; to which the greater certainty attending the operation, muſt be an additional incitement. There can hardly be imagined a circumſtance, leſs friendly to trade, than the exiſtence of an extra inducement, ariſing from the poſſibility of a profitable ſpeculation, upon the articles themſelves, to export from a country its gold and ſilver, rather than the products of its land and labour.

The other advantages ſuppoſed, of obliging foreigners to pay dearer for domeſtic commodities, and to ſell their own cheaper, are applied to a ſituation, which includes a favorable balance of trade. It is underſtood in this ſenſe—The prices of domeſtic commodities (ſuch at leaſt as are peculiar to the country) remain attached to the denominations of the coins—When a favorable balance of trade realizes in the market the mint difference between coin and bullion, foreigners, who muſt pay in the latter, are obliged to give more of it for ſuch commodities, than they otherwiſe would do. Again, the bullion, which is now obtained at a cheaper rate in the home market, will procure the ſame quantity of goods in the foreign market, as before; which is ſaid to render foreign commodities cheaper. In this reaſoning, much fallacy is to be ſuſpected:—If it be true, that foreigners pay more for domeſtic commodities, it muſt be equally true, that they get more for their own, when they bring them themſelves to market. If peculiar, or other domeſtic commodities, adhere to the denominations of the coins, no reaſon occurs why foreign commodities of a like character, ſhould not do the ſame thing.—And in this caſe, the foreigner, though he receive only the ſame value in coin for his merchandize, as formerly, can convert it into greater quantity of bullion. Whence the nation is liable to loſe more of its gold and ſilver, than if their intrinſic value in relation to the coins, were preſerved. And whether the gain or the loſs, will on the whole preponderate, would appear to depend on the comparative proportion of active commerce of the one country with the other.

(To be continued.)

DANBURY, Feb. 1.

On the morning of the 17th of January between 8 and 9 o'clock, the brig Sally, belonging to Stamford, commanded by Capt. Benjamin Keeler, of Ridgfield, returning from a voyage to the Weſt-Indies, was caſt away on Eaton's Reef, Long-Iſland, and all on board, conſiſting of 11 perſons periſhed.

The ſhore preſented a mournful and diſtreſſing ſight of various parts of the veſſel and cargo ſhattered and broken to pieces, floating upon the water. The quarter deck, which was compoſed of two inch plank, was broken croſs-ways, and the veſſel torn aſunder in many parts. Theſe fragments and ruined cargo, were driſted on ſhore, about 33 rods from the extremity of Eaton's point. The body of Capt. Keeler was found, driſted on ſhore, with his arms clenched faſt round the top-maſt ſhrouds, where he probably was when the veſſel ſtruck, and fell with the maſt. Three other bodies were found on ſhore, viz. Daniel Gray, of Stamford, Stephen Jackſon, and James Butler, of Norwalk, ſailors. The Brig ſailed out of Sagg-Harbour on Sunday morning: The ſerenity of the weather, the mildneſs of the day and the little appearance of ſuch a dreadful ſtorm, had probably raiſed their expectations of reaching their deſigned port without danger. But from this time to the morning in which they periſhed, we can only conjecture their awful and diſtreſſed ſituation; excepting from ſome circumſtances and papers. It appears that Capt. Keeler, apprehending the deſtruction which awaited them, packed his cloaths up and put them with his papers reſpecting the voyage, his watch, medal, and ſome other things, into his cheſt, locked it and faſtened his keys to the hinge of his trunk. In order to ſecure themſelves in caſe the veſſel ſhould ſtrike, they had faſtened one end of a piece of rigging to the boat, the other to the ſhrouds. The veſſel was ſeen at 7 o'clock in the morning of the 17th cloſe in with the land at Eaton's neck, under ſail and endeavoring to claw off the ſhore. Soon after this, they were probably ſtove in pieces. Among the papers found, there was one written by the Captain, and carefully packed up with the log-book, deſcribing the horrors of the ſtorm, and the diſtreſs they were in, being preſented with nothing but the gloomy proſpect of a watery grave.——Capt. Keeler was the only ſon of his mother, and ſhe a widow—a dutiful and affectionate child, beloved by all his acquaintance: Having experienced misfortunes himſelf, he was ever ready to ſuccour the wretched. As a ſeaman he was expert, having followed the buſineſs 12 years: He died (aged 29) lamented by his relations, friends, and acquaintances.

ALBANY, Feb. 7.

We are informed that a mercantile houſe in Lanſingburg, has this ſeaſon purchaſed, and taken into ſtore, upwards of 30,000 buſhels of wheat —and that Meſſrs. John Kane and Brothers, have purchaſed, and in ſtore at Fort-Edward, between 12 and 16,000 buſhels.

In this city, wheat is on the fall: As an inſtance of which, we mention, one of our merchants having offered all he had in ſtore [being no inconſiderable quantity] at 6s. per buſhel, in caſh —half in hand, and the remainder at a 4 months credit.

NEW-YORK, Feb. 14.

A Boſton paper of the 7th inſtant ſays, "Saturday laſt Captain Cobb arrived here in the ſchooner Nancy, in 30 days from Martinico.—Notwithſtanding the various accounts of the reſtoration of tranquility in the French [W. I.] Iſlands, we are authorized to affirm, that the diſturbances there continue with aggravated fury.

CHARLESTON, Jan. 25.

On Tueſday the 20th inſtant, in the houſe of Repreſentatives, at Columbia, on the ſecond reading of a bill to repeal the confiſcation act, a very warm debate took place. On the queſtion being put, the ayes were 15, nays 69, ſo the bill was loſt.

EDENTON, Feb. 4.

The Hon. HUGH WILLIAMSON, Eſq. is re-elected a member of the houſe of repreſentatives of the United States, for the Albemarle diviſion of this ſtate. By a majority of 896.

NORTH-CAROLINA.

In SENATE, *December*, 1790.

The judges of the ſuperior courts of law and courts of equity in this ſtate, having laid before this general aſſembly a letter informing of their having refuſed a writ of certiorari, iſſued by the judges of the federal court for the diſtrict of North-Carolina, relative to a ſuit depending in the court of equity for the diſtrict of Edenton, in the ſtate aforeſaid, in which Robert Morris, John Alexander Neſbitt, and others are complainants, and Nathaniel Allen, Alexander Black, William Scott and others defendants, and the ſaid judges have, together with their letters, laid before the two houſes the reaſons and cauſes of ſuch their refuſal.

It is therefore reſolved, that the general aſſembly do commend and approve of the conduct of the judges of the courts of law and courts of equity in this particular queſtion.

W. LENOIR, S. S.

The queſtion being put, will the houſe concur with the reſolution of the ſenate? it was carried in the affirmative. Adjourned *ſine die*

HENRY KUHL,

No. 143, *North Second-Street.*

FROM an expectation that a mutual advantage would be derived by the dealers in public ſecurities, and a perſon who ſhould undertake to tranſact ſuch buſineſs on *commiſſion only*, has concluded to offer himſelf for that purpoſe. Being of opinion, that every requiſite to convince them and others of his diſintereſtedneſs ought to be attended to on his part, he has duly made oath before the Hon. the Chief Juſtice of the State of Pennſylvania, that he will faithfully execute the truſts which may be repoſed in him.

COPY OF THE OATH.

"*I Henry Kuhl, of the city of Philadelphia, ſtock broker, do ſwear, that I will not be concerned either directly or indirectly, on my own account, in any purchaſes or ſales of the evidences of the debt of the United States or of particular States, but will truly and faithfully execute ſuch purchaſes and ſales on commiſſion only for thoſe who may employ me: that is to ſay, until I ſhall announce in one or more of the newſpapers printed at the ſeat of the government of the United States, my determination to the contrary.* HENRY KUHL."

Sworn at Philadelphia, February 12th, 1791, before

THOMAS M'KEAN."

The commiſſions he will charge for the preſent, are—

On the ſpecie amount of all ſums below 5000 nominal dollars, one half per cent. on do. from 5000 to 10,000 do. one fourth per cent. on do. from 10,000 and upwards do. one eighth per cent.

Accounts ſtated, and certificates funded at the Treaſury or Loan-Office of the United States, on moderate terms.

N. B. All orders for purchaſes or ſales to be in writing.

Philadelphia, February 19, 1791. (85 t. f.)

MASSACHUSETTS STATE LOTTERY.

THE Managers af the STATE LOTTERY, preſent the Pubic with the Firſt Claſs of the *Maſſachuſetts ſemi-annual State Lottery*, which will commence drawing in the *Repreſentatives' Chamber* in Boſton, on the Seventeenth of *March* next, *or ſooner*, if the Tickets ſhall be diſpoſed of.

SCHEME.

NOT TWO BLANKS TO A PRIZE.

25,000 Tickets, at *Five Dollars* each, are 125,000 Dollars, to be paid in the following Prizes, ſubject to a deduction of *twelve and an half per cent.* for the uſe of the Commonwealth.

Prizes.		*Dollars.*		*Dollars,*
1	of	10000	is	10000
2		3000	are	6000
3		2000		6000
6		1000		6000
10		500		5000
30		200		6000
80		100		8000
90		50		4500
100		40		4000
120		30		3600
161		20		3220
200		10		2000
7585		8		60680
8388 Prizes.				125000
16612 Blanks.				
25000.				

☞ TICKETS may be had of the ſeveral Managers, who will pay the Prizes *on demand*—of the TREASURER of the Commonwealth—of JAMES WHITE, at his Book-Store, *Franklin's-Head, Court-Street*, and at other places as uſual.

BENJAMIN AUSTIN, jun.
DAVID COBB,
SAMUEL COOPER,
GEORGE R. MINOT,
JOHN KNEELAND,
} Managers.

Boſton, July 28, 8790.

☞ *Tickets in the above Lottery are to be ſold by* Stephen Auſtin, *corner of Front and Pine Streets, Philadelphia.*

PLEASE TO NOTICE.

☞ *FOR the accommodation of thoſe who would wiſh to become Adventurers in the Firſt Claſs of the* MASSACHUSETTS SEMI-ANNUAL STATE LOTTERY, *letters*, poſt paid, *directed to* SAMUEL COOPER, *at his Office, North ſide State-Houſe, Boſton, encloſing Philadelphia, New-York or Boſton Bank-Bills, or other good Bills, will be particularly attended to, and Tickets forwarded* immediately *upon the receipt of ſuch letters.*

Boſton, Dec. 22, 1790.

N. B. *A Liſt of Prizes will be depoſited with the Printer hereof, immediately after the drawing is compleated.* 7t iaw tf

☞ The Managers of the STATE LOTTERY aſſure the public, that the firſt Claſs of the Semi-anuual Lottery will poſitively commence drawing on the day appointed, viz. the 17th of *March* next. As the Managers have in their ſeveral Monthly Lotteries commenced drawing at the hour aſſigned, ſo they are determined to be equally as punctual in this. *Jan.* 5?.

THE Copartnerſhip of HEWES and ANTHONY having expired the 31ſt ultimo, they requeſt thoſe, who have any demands, to exhibit their accounts and receive their money; and thoſe who are indebted, are deſired to make ſpeedy payment, to either of the Subſcribers, at their Compting-Houſe, No. 5, Cheſnut-Street-Wharf.

JOSIAH HEWES.
JOSEPH ANTHONY.

Philadelphia, Jan. 15, 1791.

N. B. They have yet on hand, and for SALE, at their STORE abovementioned,

HYSON, Souchong, and Bohea TEAS,

Three caſes Caſſia,
Pimento in bags, Martinico Coffee,
Muſcovado Sugar,
A few Caſes old Batavia Arrack,
One caſk of Durham Muſtard,
New England Rum in hogſheads and barrels,
A quantity of prime Boſton Beef,
Spermaceti, right whale and tanners' Oil,
Beſt pickled Mackrel,
6 by 8—7 by 9—8 by 10—9 by 11—and 10 by 12 Window Glaſs,
A quantity of excellent carrot Tobacco,
And an elegant CHANDELIER. (2aw6w.)

MANUEL NOAH,

BROKER,

No. 91, Race-Street, between Second and Third-Streets,

BUYS and SELLS

Continental & State Certificates,

Pennſylvania and Jerſey Paper Money,

And all kinds of SECURITIES of the United States, or of any particular State.

Philadelphia, Feb. 1790.